

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
RYAN S. HERNANDEZ,  
  
Defendant.

CASE NO. CR19-0259-JCC  
  
ORDER

This matter comes before the Court on the parties' motions to seal (Dkt. Nos. 41, 44) exhibits to their sentencing memoranda. The Court hereby GRANTS the motions for the reasons explained herein.

The Court starts from the position that there is a strong presumption of public access to documents filed in criminal proceedings. *See United States v. Carpenter*, 923 F.3d 1172, 1178–79 (9th Cir. 2019). Documents may be sealed from the public only for compelling reasons that outweigh the public's interest in disclosure. *Carpenter*, 923 F.3d at 1179; *see United States v. Doe*, 870 F.3d 991, 998 (9th Cir. 2017); *Oregonian Publ'g Co. v. U.S. Dist. Ct. for Dist. of Or.*, 920 F.2d 1462, 1466 (9th Cir. 1990). Here, the Government seeks to maintain under seal educational records, a declaration from a mental health treatment coordinator, and records of Internet and phone activity. (*See* Dkt. No. 42.) The Court finds that Mr. Hernandez and third parties have strong privacy interests in the information contained therein, which outweigh the

1 public's right of access. Similarly, Mr. Hernandez seeks to maintain under seal his psychological  
2 evaluations and other mental health treatment records. (*See* Dkt. Nos. 45, 46, 47.) These records  
3 contain highly personal medical information, the disclosure of which could be harmful and is not  
4 necessary to assist the public in understanding the basis for the sentence. Accordingly, Mr.  
5 Hernandez has demonstrated a compelling reason to seal that outweighs the public's interest in  
6 disclosure. The Clerk is DIRECTED to maintain Docket Numbers 42, 45, 46, and 47 under seal.

7 DATED this 22nd day of January 2021.

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11 John C. Coughenour  
12 UNITED STATES DISTRICT JUDGE  
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